

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

GEORGE VIDA,

No. 3:17-cv-1197-AC

Plaintiff,

ORDER

v.

LOMPOC CORRECTIONAL FACILITY,

Defendant.

HERNÁNDEZ, District Judge:

Magistrate Judge John Acosta issued a Findings and Recommendation [5] on August 24, 2017, in which he recommends dismissing Plaintiff's Complaint [2] without prejudice and without leave to amend.

Because neither party timely filed an objection to the Magistrate Judge's Findings and Recommendation, the Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988) (*de novo* review required only for portions of

Magistrate Judge's report to which objections have been made). Having reviewed the legal principles *de novo*, the Court finds no error.

CONCLUSION

The Court ADOPTS Magistrate Judge Acosta's Findings & Recommendation [5]. Accordingly, Plaintiff's Complaint [2] is dismissed without prejudice and without leave to amend. Plaintiff's motion to proceed *in forma pauperis* [1] is denied as moot.

IT IS SO ORDERED.

DATED this 24 day of October, 2017.

A handwritten signature in black ink, reading "Marco Hernández", is written over a horizontal line.

MARCO A. HERNÁNDEZ
United States District Judge